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FROM: Sallye Rayford, Manager  
Initial Review Division

SUBJECT: Receipt of Papers and Fees File Under 37 CFR 1.10 by  
Express Mail

The filing date of \_\_\_\_\_ is the correct date. The date on the Express Mail Label under 37 CFR 1.10 is \_\_\_\_\_. On that date the PTO was closed all day due to adverse weather conditions (authorized by the Office of Personnel Management) or a \_\_\_\_\_ normally scheduled Federal holiday within the District of Columbia. In accordance with 37 CFR 1.6 the papers have been stamped with the next succeeding day which is not a Saturday, Sunday or Federal holiday within the District of Columbia. The provision of 35 U.S.C. 21 (b) apply.

The papers were not stamped with the date on the certificate of mailing Express Mail Because the date on the certificate does not coincide with the date of deposit on the Express Mail label which the PTO takes evidence of when the package was mailed.

Date on certificate of mailing by Express Mail is July 5, 1995

Date on Express Mail label is July 6, 1995

Date of Receipt in PTO is July 7, 1995

Therefore, the filing date is July 6, 1995

The papers are not entitled to the benefits of 37 CFR 1.10 because:

you can not receive a date before the in date  
at the post office

Signed: Kathy Nelson

Date: 7/24/95